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7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 FERNANDO GAMBOA HOWARD
AKA OSVALDO RICARDO ROMANDIA,
15 Defendant.
16

Case No. 2:15-mj-627-NJK

STIPULATION TO CONTINUE
HEARING

(Fourth Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
18 United States Attorney, and Pamela A. Martin, Assistant United States Attorney, counsel for
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and
20 Brian Pugh, Assistant Federal Public Defender, counsel for Fernando Gamboa Howard, that the
21 Hearing currently scheduled on October 8, 2015 at the hour of 10:00 a.m., be vacated and
22 continued to a date and time convenient to the Court, but no earlier than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. Counsel for the defendant needs additional time to conduct investigation in this
25 case and is in the process of hiring a finger print expert.
26 2. Defendant is incarcerated and does not object to a continuance.

1 3. Additionally, denial of this request for continuance could result in a
2 miscarriage of justice.

3 4. This is the fourth request for continuance filed herein.

4 DATED this 1st day of October, 2015

5
6 RENE L. VALLADARES
7 Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

8 /s/ *Brian Pugh*
9 By _____

10 BRIAN PUGH
Assistant Federal Public Defender

 /s/ *Pamela A. Martin*
By _____

PAMELA A. MARTIN
Assistant United States Attorney

DISTRICT OF NEVADA

Case No. 2:15-mj-627-NJK

ORDER

FERNANDO GAMBOA HOWARDAKA
OSVALDO RICARDO ROMANDIA,

Defendant.

Based on the pending Stipulation of counsel and good cause appearing therefore, the Court finds that:

- ## CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the hearing, taking into account the exercise of due diligence.

